



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

DEC 06 2016

CERTIFIED MAIL 7015 1730 0002 0524 3907  
RETURN RECEIPT REQUESTED

Barrette Outdoor Living, Inc.  
ATTN: Mr. Jean desAutels  
President  
7830 Freeway Circle  
Middleburg Heights, Ohio 44130

Re: Information Request Pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, for Barrette Outdoor Living, Inc., located in Pendergrass, Jackson County, Georgia.

Dear Mr. desAutels:

On August 11, 2014, the U.S. Environmental Protection Agency Region 4 performed an inspection of Barrette Outdoor Living, Inc.'s facility (Facility) located at 75 John B. Brooks Road in Pendergrass, Jackson County, Georgia. The purpose of the inspection was to evaluate Barrette Outdoor Living, Inc.'s compliance with the requirements of Sections 301 and 307(d) of the Clean Water Act (CWA), 33 U.S.C. §§ 1311 and 1317(d); and the regulations promulgated thereunder at 40 C.F.R. Parts 403 and 433; and the State of Georgia pretreatment regulations at Ga. Comp. R. & Regs. 391-3-6-.08 and 391-3-6-.09.

The EPA provided Barrette Outdoor Living, Inc., an inspection report on May 26, 2016, describing specific observations made at the Facility during the inspection. The EPA is continuing to investigate the Facility's compliance with the CWA. Therefore, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that Barrette Outdoor Living, Inc., provide the information set forth in Enclosure A within twenty-one (21) calendar days of your receipt of this letter.

Barrette Outdoor Living, Inc.'s response should be submitted to:

Ms. Jeannie Williamson  
U.S. Environmental Protection Agency, Region 4  
NPDES Permitting and Enforcement Branch  
Atlanta Federal Center (MC 9T25)  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to Section 309 of the Clean Water Act, 33 U.S.C. § 1319, and 18 U.S.C. § 1001.



If Barrette Outdoor Living, Inc., believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information, except for effluent data. Further details, including how to make a business confidentiality claim, are found in Enclosure B.

All information submitted in response to this information request must be accompanied by the following certification that is signed by a duly authorized official in accordance with 40 C.F.R. § 403.12(l):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

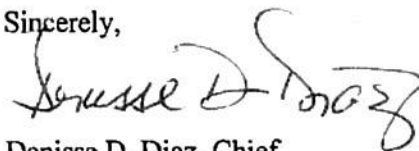
Please be aware that the EPA may use information in response to this information request in any enforcement proceeding related to this matter.

Enclosed is a document *entitled U.S. EPA Small Business Resources-Information Sheet to assist Barrette Outdoor Living, Inc.*, in understanding the compliance assistance resources and tools available to it. Any decision to seek compliance assistance at this time, however, does not relieve Barrette Outdoor Living, Inc., of its obligation to the EPA nor does it create any new rights or defenses and will not affect the EPA's decision to pursue enforcement action.

In addition, the Securities and Exchange Commission (Commission) requires its registrants to periodically disclose environmental legal proceedings in statements filed with the Commission. To assist Barrette Outdoor Living, Inc., the EPA has also enclosed a document entitled *Notice of Securities and Exchange Commission Registrants' Duty to Disclose Environmental Legal Proceedings*.

The EPA appreciates your prompt attention to this matter. Should you have any questions regarding this letter, please contact Ms. Jeannie Williamson at (404) 562-9402. Legal inquiries should be directed to Mr. Matthew Hicks, Associate Regional Counsel, at (404) 562-9670.

Sincerely,



Denisse D. Diaz, Chief  
NPDES Permitting and Enforcement Branch  
Water Protection Division

Enclosures

cc: Mr. Bert Langley  
Georgia Environmental Protection Division

Mr. Rick Parker  
Barrette Outdoor Living, Inc.





## ENCLOSURE A

### INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

#### Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the Question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the Question and subpart of the Question to which they are responsive.
5. In answering each Information Request Question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
11. The EPA requests that all documents provided in an electronic format be compatible with pdf.
12. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.



13. If any Question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, provide such information for each entity.

### **Definitions**

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
6. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
7. The term "Facility" means Barrette Outdoor Living, Inc.'s facility located at 75 John B. Brooks Road in Pendergrass, Jackson County, Georgia.
8. The term "You" and "Your" shall mean Barrette Outdoor Living, Inc.
9. The term "Permit" shall mean an industrial user permit issued to the Facility by the Control Authority.
10. "Control Authority" shall have the meaning set forth in 40 C.F.R. § 403.3(f).





### Questions

1. Identify the names and addresses of the current owner(s) of the Facility properties. Specify the legal name with the exact spelling of each owner. Specify the state of incorporation and principal place of business for each corporate owner. If incorporated, provide the name and mailing address of the registered agent. Additionally, provide a copy of the deed(s) of ownership of the Facility.
2. Identify the parent corporation and all subsidiaries of Barrette Outdoor Living, Inc.
3. If the Facility has applied for and/or received a Permit for such discharges, then provide a timeline of the wastewater permitting history for the Facility from the opening of the facility in 2012 to present including:
  - a. the date(s) that Permit applications were either requested by the Control Authority or submitted by the Facility;
  - b. the date(s) that draft or final Permit(s) were received by the Facility; and
  - c. the date(s) that comments on such draft(s) were submitted to the Control Authority.

If the Facility has never received a Permit for the discharge of process wastewaters to a publicly owned treatment works, then please explain this in the response.

4. Provide complete copies of all communication to or from the Control Authority from 2012 to present which concerns the Facility's process wastewater discharge(s). This information should be organized in chronological order with a table of contents. Communication that only regards water/sewer service billing or payment can be excluded.
5. Provide schematics of the Facility properties, when in operation, identifying the physical boundaries, the individual operational areas, and the process wastewater sources within each production area.

Include a separate schematic identifying the pathway(s) of process wastewaters, the pathway(s) of non-process wastewaters, any in-line valves/storage/appurtenances, and any points of combining flows, beginning from the source(s) of the flow to the termination points at public sewers or other locations. Specifically include the source of the wastewater received and stored in the 5,000 gallon holding tank. Include a flow balance on this schematic identifying the average daily flow rates, when in operation, of process wastewater and non-process wastewater during production. Identify the rate at each originating source, prior to each point of combining flows, and at each point of flow termination or storage. Identify the originating processes for the flows, the means of disposal at the termination points, the capacity and utilization of any storage, the flow rates in gallons per day, and whether each flow rate is measured or estimated.

6. Provide a timeline identifying the Facility's construction and narrative describing its production assets, their purpose and acquisition dates. Include the dates when the initial construction of the Facility began and when the initial discharge of process wastewater to the public sewer began.



7. Provide the date when the Facility started discharging process wastewater to a publicly owned treatment plant, and if required, the dates that the Facility reported, and to whom the Facility reported, pursuant to 40. C.F.R. § 403.12(b) and (d). If the facility is currently discharging process wastewater to the publicly owned treatment works or has processed wastewater in storage for disposal, indicate the location and quantity.
8. Provide a detailed discussion of the Facility's products and production processes, referencing the process source schematic provided for the production areas in item #5 above. Include the raw materials used, their preparation and their combination including, but not limited to any physical/chemical preparation of the materials used, and if that is performed on-site.
9. Provide all wastewater monitoring data collected by, or under contract for, the Facility from 2012 to present. The EPA prefers that such data be provided as a summary in an electronic spreadsheet format compatible with MS Excel. Present the data for laboratory-tested samples separately from data for flow, pH, temperature and other field- or continuously-monitored parameters. Include the following for each data point:
  - a. Parameter monitored;
  - b. Date monitored (month/day/year);
  - c. Analytical result;
  - d. Units;
  - e. Analytical method;
  - f. Sample type (grab, time-proportional composite, or flow-proportional composite)
  - g. Flow recorded at the time of monitoring;
  - h. Sampling location; and
  - i. Flow monitoring location.

Analytical methods need only be provided for laboratory analyses; for flow, pH, temperature and other field- or continuously-monitored parameters, identify the testing equipment used and their calibration frequencies. For flow monitoring data, only (a), (b), (c), (d), and (i) need to be provided. Location descriptions for (h) and (i) should be identifiable on the schematics provided in item #5 above.

10. Provide a copy of any inspection reports, notices of violations, administrative orders, cease and desist orders, and any related correspondence from local, State or federal agencies related to the metal finishing process at the Facility from 2012 to present.
11. Provide copies of all reporting sent in accordance with the regulations at 40 C.F.R. § 403.12 and/or under the Permit beginning at least 90 days before discharge to the public sewer until the date of this Information Request, including, but not limited to:



- a. Baseline report, as required by 40 C.F.R. § 403.12(b)
- b. Report on initial compliance with categorical pretreatment standards, as required by 40 C.F.R. § 403.12(d); and
- c. Periodic report(s) on continuing compliance with categorical pretreatment standards, as required by 40 C.F.R. § 403.12(e).





## **ENCLOSURE B**

### **RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS**

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.

